

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Grant E. DUBOIS et al.	)	Group Art Unit: 1761
	)	
Application No.: 09/838,809	)	Examiner: Carolyn A. PADEN
	)	
Filed: April 20, 2001	)	Confirmation No.: 3526
	)	
For: NON CALORIC FROZEN	)	
CARBONATED BEVERAGE	)	

Commissioner for Patents  
P.O. Box 1450  
Washington, DC 20231

**VIA EFS-Web**

Sir:

**SUBMISSION UNDER 37 C.F.R. §1.114**

Further to the Request for Continued Examination filed herewith and in response to the final Office Action dated July 3, 2007, the period for response having been extended by the petition and fee also filed herewith, please accept this timely response under 37 C.F.R. §1.114 and consider Applicants' remarks.

**Remarks** begin at page 2 of this paper.